

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DeSimone, *et al.*,

Plaintiffs,

—v—

TIAA Bank, *et al.*,

Defendants.

20-cv-06492 (AJN)

ORDER

The Court has received the Defendants’ November 3, 2002 letter. Dkt 72. When a plaintiff amends, Judge Nathan's Individual Rules allow the defendant to “(i) file an answer; (ii) file a new motion to dismiss; *or* (ii) submit a letter stating that it relies on the initially filed motion to dismiss.” Individual Practices in Civil Cases, Rule 3.F (emphasis added). Defendants are therefore ordered to file a letter by November 9, 2020, stating either that they will rely *exclusively* on their initial motion to dismiss in response to Plaintiffs’ amended complaint or that they will file a new motion to dismiss.

SO ORDERED.

Dated: November 9, 2020
New York, New York



J. PAUL OETKEN
United States District Judge

Part I